United Nations A/62/222

General Assembly

Distr.: General
13 August 2007

Original: English

Sixty-second session
Item 72 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Globalization and its impact on the full enjoyment of all human rights

Report of the Secretary-General

Summary

The Secretary-General submits the present report in response to General Assembly resolution 61/156 in which the Assembly requested the Secretary-General to seek further the views of Member States and relevant agencies of the United Nations system on the issue of globalization and its impact on the full enjoyment of all human rights and to submit a substantive report on this subject to the General Assembly at its sixty-second session. The report summarizes replies received in response to a request for information sent pursuant to the resolution. Responses were received from the Governments of Croatia, Cuba, Ecuador, Lebanon and Mexico. The report also includes contributions by Mexico and Tunisia submitted in response to a similar request (pursuant to General Assembly resolution 60/152), which, due to their late submission, were not included in the report of the Secretary-General in 2006 (A/61/281).

* A/62/150.

07-45708 (E) 310807

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I. Introduction

1. In its resolution 61/156, the General Assembly took note of the report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/61/281) and requested the Secretary-General to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on this subject to the General Assembly at its sixty-second session.

2. Pursuant to that request, on 17 April 2007, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a request for views on this issue. As of 10 July 2007, OHCHR had received responses from the Governments of Croatia, Cuba, Ecuador, Lebanon and Mexico. The report also includes contributions by the Governments of Mexico and Tunisia, submitted in response to a similar request of 15 May 2006, which, due to their late submission, were not included in the report of the Secretary-General in 2006 (A/61/281).

II. Replies received from Governments

Croatia

[Original: English]
[28 June 2007]

1. The Ministry of Foreign Affairs and European Integration of the Republic of Croatia noted that globalization is a complex process of structural reforms, with interdisciplinary aspects, which can have a bearing on civil, political, economic, social and cultural rights, as well as upon the stratification of society potentially leading to poverty and social exclusion.

2. In response to some of the challenges posed by globalization, the Government of Croatia and the European Commission signed on 5 March 2007 the Joint Memorandum on Social Inclusion in the Republic of Croatia. The memorandum identifies the principal challenges and measures that will help Croatia combat poverty and social exclusion. The document will be used by the Government of Croatia to pay particular attention to challenges in the following areas:

(a) Secondary and higher education;

(b) Network of social services for children, the elderly and the disabled;

(c) Prevention of illness or disability;

(d) Social housing;

(e) Regional stratification;

(f) Poverty among the elderly.

3. The Government of Croatia noted that, in its efforts to implement these measures, it is aware of the necessity of setting up the proper institutional mechanisms to engender the most effective possible cooperation between various governmental agencies, social partners, local authorities, the non-governmental sector and representatives of those groups enduring poverty and social exclusion.

The Government stated that in the implementation of measures, it is also aware that special attention must be dedicated to the marked differences between poverty and social exclusion in urban and rural regions and in multiply deprived regions. It noted that existing gender inequalities must also be taken into account in the definition and implementation of various measures.

4. In this regard, the Government stated that it fully realizes that social exclusion is an ongoing process that demands constant monitoring and adjustment of adopted measures to new circumstances and changes. In this sense, it noted that it is particularly important to assess the effectiveness of the proposed measures and policies through clearly defined indicators that will enable the comparison of Croatia with other Member States.

Cuba

[Original: Spanish]
[10 July 2007]

1. Cuba recognized the important role of the United Nations system, as the most representative and universal forum, in the rethinking of the bases of the current process of globalization, in order to ensure that its potential benefits are enjoyed equally by all peoples of the world and by all sectors within each country.

2. Cuba noted that, in theory, globalization should become a positive force for all countries and inhabitants of the world. However, as the international community has formally acknowledged on various occasions at world summits, at present the benefits and costs of globalization are very unequally distributed, and the developing countries are encountering particular difficulties in dealing with this problem.

3. Cuba stated that the neoliberal globalization process has led to the reduction of the role of States and their economic and financial capacity to implement the right to development and to maintain, offer and guarantee basic public services in education, health and social security.

4. Furthermore, Cuba stated that neoliberal globalization is contributing to the expansion of vice and crime throughout the world, such as drug trafficking, prostitution and pornography, including child pornography, trafficking in migrants, women and children, paedophilia, racism, racial discrimination, xenophobia and related intolerance. This is taking place in conditions of injustice and inequality and reflects the dangerous multiplier effect that new technologies can have on the loss of ethical values and morals.

5. Cuba submitted that the right of every person to a social and international order in which his or her rights and freedoms can be fully realized is still far from being achieved. This objective was proclaimed over 50 years ago in the Universal Declaration of Human Rights, reiterated in the Declaration on the Right to Development and reaffirmed by consensus at the 1993 World Conference on Human Rights.

6. Cuba submitted that the mechanisms of free trade and the "equality" among unequals promoted by neoliberal globalization — whether through free trade agreements, such as the Free Trade Area of the Americas, or the trade

"liberalization" in the World Trade Organization — in the context of the historical determinants of subordination, dependence and plundering to which the developing countries have been subjected, and the inequities in the current international economic order, tend to favour the developed countries and to perpetuate and deepen the inequalities between these countries and the countries of the South.

7. Cuba stated that the continued unrestricted implementation of neoliberal formulas will ensure that the realization of all human rights for all remains an unattainable illusion. It will also have serious consequences for peace, national, regional and international stability, the conservation and rational use of resources and, as a result, for the very survival of humanity.

8. Cuba submitted that policies and measures that take account of the needs of the developing countries and that are formulated and implemented with the participation of these countries, must be adopted at the global level.

9. Cuba submitted that international cooperation — as an inescapable duty — and an international order conducive to the realization of all human rights should become urgent priorities for the international community, particularly for those that have benefited most until now. International solidarity is becoming essential. The main obstacle to the solution of the problems raised by the current form of globalization is the absence of real political will on the part of the industrialized countries to fulfil agreed commitments and to change the current rules of the game.

10. Cuba stated that the formulas and initiatives put forward to date by the developed countries and international organizations to meet challenges — which are aggravated by the current neoliberal globalization process — such as underdevelopment, poverty and AIDS, are only limited and insufficient palliatives that will not solve the serious problems and the vast inequalities that exist in the world today.

11. Cuba stated that a recent example of this is the sinister idea of converting food into fuel, established as an economic aspect of the foreign policy of the most powerful country in the world, as a result of which over 3 billion persons will be condemned to premature death by hunger and thirst. In a world where more than 854 million people are starving, this model is extremely exclusive, since it severely jeopardizes the food sovereignty and health of ecosystems in various parts of the planet, particularly in underdeveloped areas. According to this scheme, third world countries will contribute their land and its fertility and their cheap workforce and will be left with all the environmental damage caused by large plantations for the production of biofuels.

12. Cuba stated that humanity can be saved only by a more human and equitable order in which social justice prevails. The unjust, selfish and unequal current international order cannot solve the serious problems facing humanity today, nor the major challenges of tomorrow.

13. Cuba is convinced that the existence of real political will on the part of the developed countries could, with relatively few resources, of the hundreds of billions of dollars that are squandered every year on the arms race, wars of conquest, commercial advertising and speculative financial megaprojects, do much for the right to life and the right to development of billions of people.

14. Cuba stressed the importance of placing development at the centre of the international economic agenda with a view to eradicating poverty and eliminating differences between rich and poor.

15. For this reason, Cuba agreed that there is a need to establish an equitable, transparent and democratic international system in which profound, comprehensive, innovative and simultaneous measures — beginning with the cancellation of external debt — are taken on various fronts.

16. Cuba stated that official development assistance will have to be at least tripled, be unconditional and not be subordinated to the economic and political interests of donors. It will be necessary to return to preferential trade agreements and formulas to compensate for deep and increasing inequality, such as the agreed special and differential treatment, which has never been implemented. The current international financial institutions will have to be replaced, and the United Nations will have to be reformed and democratized so that it is truly effective. A development tax will have to be created.

Ecuador

[Original: Spanish]
[28 June 2007]

1. Ecuador agreed that globalization is not merely an economic process and that it also has social, political, environmental, cultural and legal dimensions that have an impact on the full enjoyment of human rights. The international community must therefore establish principles, such as international cooperation and solidarity, in order to ensure that this process is as inclusive and equitable as possible, and that it takes account of the vulnerability of the developing countries and does not neglect the responsibility of States to promote and protect human rights.

2. Ecuador stated that, in the light of the implications of free trade for human rights, various international instruments have established that human rights are an essential element that cannot be affected by trade relations. However, Ecuador submitted that not enough has been done, since there are still cases of discrimination, labour exploitation and child labour, under the pretext of the free flow of capital and "development" promoted by multinational enterprises.

3. Finally, Ecuador stated that it would be useful to broaden the discussion to include the effects of globalization on the cultural diversity of indigenous peoples, the sustainable use of natural resources, access to water and the preservation of biodiversity.

Lebanon

[Original: Arabic]
[28 June 2007]

1. The reply from the Secretariat for Foreign Affairs of the Lebanese National Assembly stated that the impact of globalization on human rights is complex, confusing and contradictory, given that globalization itself is a complex and contradictory process. Although it is not a new phenomenon, the speed and the

spread of this process in the last few decades show that a qualitative change has taken place. Globalization is part of a wider process, namely, internationalization. In contemporary language, however, it refers, more specifically, to growing integration between national economies. This concept may reflect different values, priorities and institutions from those which the wider process, i.e. internationalization, reflects.

2. Lebanon submitted that globalization is not an economic step that is separate from, or independent of, other processes, although it is characterized by a large measure of independence. The fundamental responsibility for political regulation of, and for preserving the system from, globalization lies in redefining and redesigning the roles of the State according to forms and patterns that are consistent with the aims and processes of the global market.

3. Lebanon noted that globalization profoundly affects both the framework of discourse and the exercise of human rights. If few of the issues raised are new, the paradigm has shifted considerably. Globalization adds a new dimension to one of the most controversial issues, namely, whether rights are universal or specific. It raises questions about who benefits from rights and who is responsible for them.

4. Lebanon stated that globalization also raises questions about the relationship between economic and social rights and political and civil rights and which of them should have priority over the others and about the manner of the application of these rights, the responsibility of the international community for protecting them and the nature of State sovereignty.

5. Lebanon submitted that one of the most important characteristics of globalization is the fact that, while human rights are essentially afforded to the individual, there seems to be considerable doubt as to whether one can validly talk of individual rights and the concept of the universality of human rights at the same time as globalization. The world economy was founded on national legal systems, with elements of the global economic system; one cannot say that a political system or an international political system has emerged alongside the integrated global economy. This disjunct has an adverse impact on rights, justice and public accountability.

6. Lebanon stated that human rights are a battleground both in the international arena and in States where power and the resources used in the battle are unevenly distributed. The advent of globalization brought with it widespread violations of human rights and of human dignity. Here, the Government of Lebanon referred, more specifically, to slavery and the use of forced labour, and stated that there are no grounds for optimism that universal human rights will be fully realized, even if we are armed with a full array of universal human rights principles.

7. Lebanon stated that the members of the Lebanese National Assembly, considering that this institution is one of the most important institutions of government, have a responsibility to develop a culture of respect for human rights, in light of the new shift towards globalization and the effects that it may have on the full enjoyment of the human rights embodied in constitutional and legislative enactments.

8. Lebanon submitted that the contribution of the public to the work of parliaments and their committees and members is the logical foundation of a policy aimed at integrating the human rights perspective into parliamentary work, through

the participation of the public, and at ensuring equitable distribution of resources and balanced growth, taking account of the needs of the most marginalized members of society. This can be achieved by guaranteeing democratic rights and rule of law, and thus fully guaranteeing human rights.

9. Lebanon stated that the parliament, through its commitment to a balanced process of development, can make the participation of the public, through civil society organizations and institutions, a vital requirement. In that way, there would be accountability and transparency in any financial dealings, in the preparation of budgets and in the involvement of citizens in communicating the needs of their regions directly to members of parliament.

10. Lebanon submitted that globalization mostly has a negative impact on human rights, particularly in small and poor developing countries, and development efforts and policies must be assessed in terms of their impact on the quality of human life. Human beings are an instrument of development and the means by which development is achieved.

11. Lebanon noted that while some maintain that free and unhampered trade will guarantee the greatest gains, the necessary condition for the realization of this ideal is the existence of a situation of perfect or near perfect competition in the global trading market. Lebanon stated that it is self-evident that this situation does not exist, because of market monopolies, concentration and positions of hegemony in the international trade market, particularly as regards the size of institutions, their economic and financial resources and their ability to exploit advanced technology for their own purposes, i.e. for development, modernization and the maintenance of a global presence. Lebanon queried why, for example, the world continues to live in the shadow of an international policing system, imposed by the rich countries, which prevents the transfer of all types of technology to poor countries, except to an accepted level and permitted degree. Lebanon submitted that this adversely affects the developmental capacity of small poor countries and the form and pace of development therein.

12. Lebanon noted that the technological revolution that has accompanied globalization has begun to liberate the media from government censorship and control and to eliminate barriers to communication, regardless of the wishes of rulers. Information networks have become the most visible manifestation of globalization, even though some "rogue" networks threaten national cultures and identities, turning countries into dustbins for cultural, recreational and political rubbish, instead of havens for information.

13. Lebanon submitted that this revolution has rehabilitated reading and writing, i.e. education, because knowledge is required to use information networks, and that this is the biggest challenge facing literacy promotion and the transmission of information to all peoples in the Arab region, including Lebanon. Lebanon stated that the region's satellite televisions are being invaded by the whole world and are bringing peoples in the Arab region different material and media messages that may conflict with their beliefs and ideals and their social customs.

14. Lebanon's submission elaborated on the role of the parliament in protection and promotion of human rights. On 10 December 2005, the Lebanese Parliamentary Committee for Human Rights, in cooperation with the United Nations Development Programme, the Office of the High Commissioner for Human Rights, relevant

governmental departments and civil society organizations, officially launched the process that would lead to the establishment of a national plan of action for human rights. The purpose of the plan is to identify the necessary legislative and executive steps for the promotion of respect for human rights in Lebanon.

15. The plan will be based on themes, addressed in a series of priorities that are set out in the international bill of rights. The themes will then be included in the plan in three different sections:

(a) General themes: a general survey of fundamental human rights treaties and conventions and mechanisms and institutions for the protection and promotion of human rights;

(b) Themes relating to civil and political rights: these include fair trials and enforced disappearances, especially in Israel, Lebanon, the Libyan Arab Jamahiriya and the Syrian Arab Republic; penal and prison policies; freedom of opinion, of expression and of the press; the right to privacy; the right to freedom of assembly and of association; equal dignity and equal human rights without discrimination; and the rights of women, children, persons with disabilities and non-Palestinian refugees;

(c) Themes relating to economic, social and cultural rights: these include the right to work and to social security; the right to health and social welfare; the right to education and culture; the right to housing; the right to development; the right to a healthy environment; and the economic, social and cultural rights of Palestinian refugees in Lebanon.

16. In conclusion, Lebanon stated that globalization is a natural result of the advance of liberal capitalism and of technological development. Lebanon submitted that globalization is a reality that cannot be ignored and that it has no option but to acknowledge its existence and to deal with it in a manner that limits its harmful effects and allows Lebanon to benefit from the opportunities that globalization opens up to it. Lebanon stated that it must work hard to improve the level of human development in national economies and to consider its economic security as a priority in its external policies.

17. The National Assembly has a duty to promote and to watch over civil, political, economic and social rights, monitoring the development process and implementation of laws so that the legislature is given the opportunity to strengthen compliance with international human rights treaties and to monitor their implementation. Lebanon stated that this will be achieved in the context of efforts to build the capacities of lawmakers and improve their direct communication with the public, through dialogue and participation in a political process aimed at real development and the creation of a society that enjoys the rights required to enable it to remain strong and stable in the face of the major challenges which most States are confronting in the areas of progress and growth.

Mexico

[Original: Spanish]
[31 August 2006 and 2 July 2007][1]

1. Mexico stated that it has recognized the universality of human rights by making them fundamental principles of its foreign policy and, through the international instruments that it has ratified, incorporating them into its domestic law. As part of its efforts to create an environment conducive to the full enjoyment of human rights, the Government of Mexico has assumed the firm commitment to respect and uphold human rights, which has become one of the Government's ongoing priority tasks.

2. Mexico noted that globalization is a complex process of structural transformation, with many interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights. In this regard, the Government of Mexico agrees that the international community should endeavour to confront the difficulties associated with globalization and take advantage of the opportunities that this process offers in order to ensure respect for the human rights of all persons.

3. The Ministry of the Interior reiterated its commitment to continue working to promote, encourage and ensure respect for all human rights, through international cooperation and the establishment of national mechanisms and public policies in favour of these objectives, in order to deal with the structural transformations that accompany the phenomenon of globalization.

4. Mexico acknowledged that the current challenge facing the international community is to ensure that globalization benefits everyone and becomes a source of wealth for all inhabitants of the planet. Globalization has the potential to raise income levels in all countries and help to build more just and equitable societies; however, the benefits of globalization have not been equally distributed. The lack of coherence between international trade and financial systems, and between national development strategies and international obligations, has contributed to this result.

5. For this reason, Mexico endorsed the call for greater transparency in the financial, monetary and trading systems at the global level, which will lead to greater balance and help to prevent discrimination against certain nations.

6. Mexico submitted that globalization must have a strong social dimension and be based on shared universal values and respect for human rights and the dignity of individuals; a just, inclusive and democratically controlled globalization that offers opportunities and tangible benefits to all countries and all persons.

7. Further, it stated that the global agenda must take account of the recognition of interdependence, which presupposes the recognition that the economic sphere cannot be separated from the social and political fabric, and that, consequently, in order to grow and prosper, market forces must form part of an order based on broader and more inclusive social values and objectives.

[1] The contribution by the Government of Mexico includes information submitted in response to a request pursuant to General Assembly resolution 60/152 which, due to its late submission, was not included in the report of the Secretary-General in 2006 on this subject (A/61/281).

8. In the light of the foregoing, the Government of Mexico has adopted various social plans and programmes with a view to interrelating economic growth with such human rights as the right to development, the human rights of migrants and the right to non-discrimination.

9. The Government of Mexico agreed that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization. The Social Development Department emphasized that the existence of good governance within each country and at the international level is a fundamental element for development and the elimination of poverty.

10. The measures outlined by the Government of Mexico in this regard include:

(a) The National Development Plan 2001-2006: the plan is being carried out within the framework of the current administration's measures to meet basic needs, promote well-being, increase the individual capacities of all Mexicans and reduce poverty, taking into account the concerns of the population, particularly the most disadvantaged segments of the population;

(b) The National Social Development Programme 2001-2006: the programme sets objectives, guidelines, strategies, courses of action and specific tasks and goals that will guide and determine the Federal Government's social policy measures to eliminate poverty;

(c) The Contigo social policy strategy: the strategy seeks to provide essential social benefits to all Mexicans and activate levers that promote human development and trigger economic development. This strategy promotes better coordination among the three levels of government (federal, state and municipal) and fosters a new relationship between the Government and citizens in order to achieve greater efficiency in public and private sector measures in the area of social policy;

(d) The Opportunities Human Development Programme: the programme represents a change in the poverty elimination policy, in that rather than a purely "handout" approach, it transfers income, encourages investment in capacity-building, and thereby increases opportunities for poor families to get ahead through their own efforts;

(e) Increased budgetary expenditure on poverty alleviation: in 2005, the Federal Government authorized resources for poverty alleviation in the amount of 129,408 million pesos, a budget 13.8 per cent higher than that of the previous year. Priority was given to social spending. Mexico also submitted statistics on poverty reduction between 2000 and 2004;

(f) International trade agreements: Mexico has taken measures to enable producers of goods and services to cut their costs and thus make themselves more competitive in the face of growing international competition, including by entering into international trade agreements;

(g) Habitat Programme 2003: the Government launched this programme with a view to eliminating backwardness and social contrasts in the country's cities and metropolitan areas. The main objective of the programme is to reduce urban poverty, improve low-income housing and make cities and their neighbourhoods orderly, safe and liveable, with a historical memory and plans for the future;

(h) The Food Aid Programme seeks to improve the nutritional standards of households living in poverty in marginalized rural areas, which are not receiving the benefits of other food programmes of the Federal Government.

11. The Government of Mexico agreed that migration is a global phenomenon, and also recognized the importance of international, regional and bilateral cooperation and the need to protect human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy.

12. The Government of Mexico recognized the role played by Mexicans living abroad in the promotion of development and the reduction of poverty in their communities of origin. The Government therefore supports migrants and the contribution that they make, together with the different levels of government, to local development and poverty eradication in their communities of origin.

13. Programmes outlined by the Government of Mexico which protect migrants are:

(a) The 3x1 Programme for Migrants: this programme contemplates, among other things, the participation of migrant workers in decision-making and the approval of social projects aimed at enhancing the social and economic development of their communities of origin;

(b) The Programme for Agricultural Day Labourers: the aim of this programme is to improve the living and working conditions of the men and women who make up the agricultural day labourer population, based on comprehensive and timely care through community development, institutional coordination among the three levels of government and agreements among producers, social organizations and the beneficiaries themselves; the Mexican submission also highlighted the details and aims of the programme;

(c) The National Health Programme 2001-2006: the Government of Mexico stated that as Mexico is a country of origin, transit and destination of migration, a comprehensive policy on migrant health is required; it distinguished between internal migrants, namely migrants who move within Mexico following agricultural cycles, and external migrants, namely those Mexicans who migrate to the United States of America. Mexico stated that its "Vete sano, regresa sano" programme of action, included in the National Health Programme 2001-2006, offers a comprehensive package for health maintenance for migrants and their families through information, preventive care and treatment in places of origin, transit and destination of migrants;

(d) National Human Rights Commission health initiatives: Mexico noted that the protection of the right to health is also a matter of concern to the National Human Rights Commission, since it is directly related to the economic factors involved in globalization. The National Human Rights Commission therefore proposes to take appropriate measures, in public health institutions, to guarantee the timely and adequate provision of medicines and medical supplies and services, to study the conditions in which the budget is being spent by government health-care offices, and, to establish the necessary mechanisms to monitor and optimize expenditure;

(e) Fifth Inspectorate-General: established by the National Human Rights Commission in 2005, the Inspectorate-General receives complaints relating to

migration, and seeks to strengthen mechanisms for cooperating with the federal and local authorities in migration matters, as well as with public human rights bodies and non-governmental organizations that deal with migration, including through a number of regional offices in addition to mobile offices (called "ombudsmobiles").

14. International initiatives: Mexico has also taken various actions at an international level to deal with the phenomenon of globalization and to contribute to the full enjoyment of human rights. These include being party to:

(a) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) An inter-agency agreement on cooperation and assistance between the National Human Rights Commission of Mexico and the Office of the Procurator for the Protection of Human Rights of El Salvador (February 2007), with a view to establishing support mechanisms to promote and encourage the validity and effectiveness of the human rights of migrants;

(c) A technical support convention between the National Human Rights Commission of Mexico and the Office of the Procurator for the Protection of Human Rights of Nicaragua (May 2007), pursuant to which both institutions will develop activities aimed at the promotion and protection of migrant rights; Mexico noted that the Head of the National Human Rights Commission has confirmed the need to transfer the migratory phenomenon from the security agenda to the agenda for development and human rights.

15. Other developments outlined by Mexico as relevant to the human rights of migrants were:

(a) The Special General Assembly of the Ibero-American Federation of Ombudsmen, held by the National Human Rights Commission, at which the President of the National Human Rights Commission and the First Vice-President of the Federation, Mr. José Luis Soberanes Fernández, criticized the poor results of the economic growth policies of the Ibero-American Governments, since such policies were not very effective in achieving social development that reduces differences and offers real opportunities for well-being, and regretted that the Ibero-American countries are on a double track: on the one hand, there has been rapid technological progress in the area of communication; on the other, a large segment of their population has been left behind and continues to be subjected to serious violations of their fundamental human rights;

(b) The Human Rights Agenda 2006, presented by the National Human Rights Commission for public scrutiny in April 2006. The agenda contains specific proposals on persons in situations of vulnerability, such as women, children, older people, indigenous communities and migrants;

(c) In 2007 the National Human Rights Commission promoted, in the Senate and Congress, the repeal of Article 123 of Mexico's Population Act which, although it is not applied in practice, establishes as an offence the illegal admission of foreigners to the country, with a view to adapting it to international standards on the subject.

16. The Government of Mexico agreed that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as non-discrimination. To this end, in May 2006 the National Council on the Prevention of

Discrimination introduced the National Programme on the Prevention and Elimination of Discrimination which has received assistance from the United Nations Office in Mexico in order to bring the Programme into line with international law on non-discrimination.

17. Mexico noted that the Programme provides for a series of public policies to prevent discrimination and promote equal opportunities in the area of health, the general objective of which is to increase prospects for decent treatment, equal treatment and a culture of non-discrimination in Mexico's health services, ensuring that health facilities and services offer quality treatment without discriminating on the basis of ethnic or national origin, sex, age, disability, social or economic status, state of health, pregnancy, language, religion, opinions, sexual preference, civil status or any other attribute, upholding the principle of social inclusion.

18. On 16 May 2006, the National Agreement for Equality and against Discrimination, which is based on the National Programme on the Prevention and Elimination of Discrimination, was made public. The agreement, which is a commitment open to government bodies, academics and civil society in general, seeks to:

(a) Promote a culture of equality and non-discrimination;

(b) Encourage non-discriminatory attitudes and positive and compensatory action in the laws, regulations, agreements, public programmes and budgets;

(c) Incorporate non-discrimination standards in the institutional management of the various spheres of government, as well as of the legislative and the judiciary;

(d) Promote the development of programmes to combat discrimination and in favour of equal treatment and opportunities in the private and social sectors;

(e) Encourage research and debate on topics relating to non-discrimination and social inclusion;

(f) Encourage citizens to participate in building a culture of non-discrimination, in reporting discriminatory actions, and in preparing and following up government programmes;

(g) Promote activities to disseminate information, raise awareness, and build capacities in order to promote coexistence in diversity, respect for differences, and equality as fundamental values of democratic life.

19. The National Human Rights Commission is in favour of affirmative action to end discrimination against disadvantaged groups of persons in Mexico, including women, persons with disabilities, indigenous populations, older people, agricultural day labourers, persons living with HIV/AIDS or persons living with mental illness. As such, the National Human Rights Commission has proposed to incorporate the principle of non-discrimination in all activities of the federal administration.

Tunisia

[Original: French]
[13 October 2006][2]

1. Tunisia stated that it joined the process of globalization with the intention of benefiting from its advantages while at the same time taking all the necessary measures to avert its negative effects, which hinder the full enjoyment of human rights. It submitted that globalization is a contradictory process that can have either a positive or a negative impact, depending on the specific situation in each country. Tunisia noted that globalization relates not only to the globalization of capital, but also incorporates the globalization of communication, scientific and cultural exchanges, environmental awareness, human and civil rights, economic development and social progress.

2. Tunisia stated that in order to address the concerns of globalization, it has developed a model of a globalization that is equally advantageous for all countries and which creates favourable conditions for the full enjoyment of human rights. Tunisia explained that its proposals seek to lay the foundations for combining state-of-the-art technologies with the principles of tolerance, solidarity, environmental protection, shared development and fair trade, on the basis of universal respect for human rights and in full cooperation with regional and international institutions.

3. Tunisia made the following submissions:

(a) Strengthening the rule of law is a way to protect and promote social benefits: Tunisia expressed its resolute support for a concept of national interest that incorporates the demands of multidimensional international cooperation. It stated that embracing globalization without maintaining and strengthening the foundations of the national State would be to neglect the need for stability and development. It submitted that resolute political will and realistic national strategies are required in order to control employment, improve training and qualifications and integrate people into the job market, and that Tunisia must enhance its resources, particularly its human capacities, if it is to master technological and financial tools, develop research, disseminate knowledge and ensure a fair distribution of the benefits of development. Tunisia pointed to the decline of national sovereignty, and the impact of globalization on territorial integrity, with the opening of borders and the increased and often illegal and dangerous flow of goods, capital and migration around the world. Tunisia also submitted that new forms of economic and social life are undermining traditional values and human rights by introducing new forms of discrimination, exploitation, injustice and even slavery;

(b) Guaranteeing social rights is a reliable indicator of respect for fundamental human rights: Tunisia stated that it has opted for a strategy of global human development that seeks to strike a balance between the economic, social and political dimensions, and has adopted various economic restructuring and liberalization measures with a view to fostering strong economic growth that generates wealth. Tunisia outlined the social policies which it has implemented to ensure the equitable redistribution of the dividends of growth at the national level,

[2] The contribution by the Government of Tunisia was submitted in response to a request pursuant to General Assembly resolution 60/152 which, due to its late submission, was not included in the report of the Secretary-General in 2006 on the subject (A/61/281).

including allocating 80 per cent of the State budget to social, economic and cultural rights (namely education, health, housing, food, social security, vocational training, employment and cultural activities) and promoting extensive progressive cultural and political openness;

(c) Promoting sustainable development is one way of guaranteeing the rights of future generations and preventing the adverse effects of an obsession with productivity: Tunisia stated that its framework for action in the area of development is based on a system of priorities that places the human being at the centre of development, which means reconciling politics and economy, social and environmental issues, production and environmental protection. Tunisia noted that ensuring fundamental human rights by gradually integrating environmental concerns and actions into sector-based and territorial development activities, on the one hand, and achieving, by appropriate means, a fairer distribution of the benefits of economic growth, on the other, constitute an ongoing objective of all its sector-based and regional economic and social development strategies. In this regard, Tunisia highlighted its national and regional Agenda 21 action plans and economic and social development plans;

(d) Dynamic solidarity is an innovative form of integration into globalization with a human face: Tunisia noted that the inequalities between peoples and the injustices that can result from uncontrolled economic globalization undermine the economy, destabilize society and threaten peaceful coexistence and national unity. Tunisia has therefore put in place various mechanisms to counter the negative effects of liberalism and to ensure that all regions and citizens benefit from opportunities created by national economic growth and carefully planned integration into the world economy. Measures highlighted by the Government of Tunisia in this regard include:

(i) The incorporation of the concept of solidarity in the Tunisian Constitution (article 5, paragraph 3);

(ii) The Government's programme to promote solidarity, which has integrated 1,000 towns into the development network;

(iii) The National Solidarity Fund, which has supplied housing, electricity and/or drinking water to over 240,000 impoverished families;

(iv) The Tunisian Solidarity Bank, which, together with the National Solidarity Fund, allocates microcredits to women and young persons who promote microprojects but do not have their own funds or the possibility of obtaining conventional bank loans.

Tunisia submitted that a society based on solidarity is in keeping with a collective, evolving approach that promotes effective participation and a sense of citizenship. Tunisia is of the view that economic globalization must also be accompanied by a globalization of solidarity in order to establish a global dynamic partnership and co-development that would make it possible to bridge the gap between rich and poor countries by involving citizens from all regions of the world in a comprehensive project for shared progress. Tunisia submitted that the economic and social gap separating the peoples of the North from those of the South creates wretched living conditions that may become fertile ground for terrorist acts and give rise to fears that can be exploited by preachers of hatred from various fundamentalist groups. As such, Tunisia stated that globalization with a human face calls for fair measures and

for the implementation of appropriate development strategies designed to create a climate that would make it possible to establish balanced relations among nations, begin a constructive dialogue and develop a viable globalization strategy. In this regard, Tunisia pointed to the World Solidarity Fund, proposed by Tunisia in 1999 and established by the United Nations, which in its view constitutes a realistic means of addressing the challenges of modern times and is in keeping with the Millennium Development Goals.

(e) Supervising multinational corporations is an efficient way to protect human rights: Tunisia submitted that human rights must prevail over international trade law, and that social, cultural and political rights must go hand in hand with economic rights. It stated that all economic stakeholders must be punished when they violate human rights, and that failure to fulfil this obligation would encourage extreme reactions in a context of poverty and terror. Tunisia noted that it has defined legal and political measures to protect social benefits and regulate and control the role of transnational corporations and other enterprises in the field of human rights. These include:

(i) The inclusion of certain clauses in the Agreement between Tunisia and the European Union, concluded on 15 July 1995, which impose respect for all human rights and respect for the moral and material rights of Tunisian and foreign workers employed under the Agreement;

(ii) The inclusion, in the trade agreements to which Tunisia is a party, of specific provisions to guarantee conditions of fair competition for enterprises and workers, including provisions relating to anti-dumping and environmental protection; protection of human health; anticompetitive practices; and sustainable development;

(iii) A code to encourage investment which imposes on Tunisian and foreign investors the obligation to respect the law, and particularly the rules of public order, which include the obligation to respect human rights.

(f) Guarantees of freedom to receive and impart information in the context of the information society: Tunisia emphasised the importance of guaranteeing the freedom to receive and to impart information and of the information and knowledge societies in modern society. It noted, however, that the right to receive and impart information is not unlimited and referred to its Communications Code, which deals with the organization of the communications sector and related services and networks and sets out the rights and obligations of users as well as the legal guarantees accorded to all parties concerned. Tunisia noted that the General Assembly selected Tunisia to host the second stage of the World Summit on the Information Society in 2005, resulting in the Tunis Commitment and the Tunis Agenda for the Information Society. Tunisia explained that the object of these documents is to identify efficient ways of bridging the digital divide and involving the international community in the search for the most appropriate solutions in order to ensure equal development opportunities. Tunisia emphasized the importance of the management of information channels for civil and political rights and the promotion of the right to human development. It also flagged the potential for the management of information channels to serve as a tool of segregation, domination, terrorism or organized transnational crime and a hindrance to the sovereignty of States with the fewest resources;

(g) Promoting a culture of difference does not mean either cultural exclusivity or indiscriminate borrowing from other cultures: Tunisia noted that globalization had led to a blurring of differences between national and international, which has a profound effect on national identities and which results in an often violent quest for identity. For this reason, Tunisia promotes a culture of difference, namely a culture rooted in its authentic heritage and, in particular, in the legacy of enlightened *ijtihad* and Arab Islamic rationalism, whose aim is to develop humanism based on critical and tolerant rationality. Tunisia stated that cultural diversity and the many ways of expressing one's humanity which foster mutual emulation and enrichment must not become obstacles to the development of a culture based on the values of progress, peace and human solidarity. Distinctive identities must always contribute to the embodiment of universal human values. Tunisia emphasized the role that the education system has to play in developing this culture. It stated that promoting a culture of difference means eradicating all forms of hatred, xenophobia and extremism, as well as all forms of alienation and uprootedness and developing, in the pupil-student-citizen, a sense of belonging to a community of individuals who work peacefully together to improve their lives;

(h) The dialogue between cultures is a vehicle for cooperation and solidarity among peoples: Tunisia stated that genuine cooperation among people and cultures consists not only in the exchange of economic goods but also in the establishment of equal terms of trade for dynamic partnership and solidarity that leave no one behind. It emphasized the necessity for a dialogue of cultures (which recognizes the demand for recognition of sovereignty, is based on common convictions and grounded on universal values, and overcomes dichotomy between East and West, North and South), the restoration of balanced relations between States and civil societies, the establishment of cooperation and of an authentic dialogue between nations, of a truly new international order based on the participation of all stakeholders, whose aim is neither to dominate nor to be dominated but to make their contribution to efforts to change the world and humanize international relations. Tunisia proposed that this concept of a dialogue of civilizations and culture should incorporate the following:

(i) A regional and international environment that is more conducive to development because it is based on more balanced relations between States and nations, on strengthening the sovereignty of peoples and their control of political, economic, social and cultural means, and, as a result, on the elimination of the current mechanisms of domination, despoilment and exploitation (trade, debt, etc.) which, by preventing these peoples from making full use of their resources and enjoying the fruits of their labour, ultimately leave them discouraged and apathetic;

(ii) A vigilant and active attitude towards all types of fundamentalism, terrorism and political forces that nurture, sponsor or support terrorism, since there is a risk of confusion that poisons the relations between West and East, the Christian world and the Muslim world, and of a return to the theory of the "clash of civilizations", with all its potential consequences.

(i) Contributing to international efforts to combat illegal immigration: Tunisia stated that international migration poses the double challenge of solidarity and development, and highlights the urgent need to achieve global interdependence based on cooperation among peoples. It stated that migration is a basic component

of a globalization imposed by financial capitalism, dominated by competition and marked by profound and worsening inequalities between and within continents and nations. It noted that poverty, insecurity, underdevelopment and hopelessness as the main reasons that people migrate and highlighted the social and political problems created by mass migration. Tunisia proposed that development is key to solving the problem of migration and that migrants must be treated humanely and as victims and not as criminals. It noted its own problem of illegal or clandestine migration by sea to Europe, which it has tackled by adopting a global strategy based on both prevention and dissuasion, which consists of taking appropriate legal measures and court action. Tunisia has acceded to a number of international instruments on migration, trafficking and transnational organized crime. Tunisia asserted that the ideals of solidarity and co-development among nations must become the new paradigm for international relations at the outset of the twenty-first century, and, in this regard, pointed to the World Solidarity Fund established by President Ben Ali;

(j) Contributing to international efforts to combat terrorism: Tunisia noted that it had proposed a number of initiatives to address the urgent problem of extremism and terrorism faced by the international community. It stated that it has, since 1993, been calling for an international conference on the subject and for the adoption of a code of conduct, with the involvement of all parties. Tunisia is of the view that terrorism can be effectively combated only through respect for the human rights to freedom of action, association and expression in all circumstances, and that efforts to prevent this scourge must be based on more active international cooperation and on a comprehensive, universal legal mechanism for suppressing the financing of terrorism, taking action against perpetrators and denying them a safe haven where they could secretly prepare and carry out terrorist acts or avoid prosecution. In this regard, Tunisia stated that the force of law must prevail over the law of force. Tunisia noted that it has ratified a number of international and regional conventions relating to the fight against terrorism. Tunisia has also outlined the measures adopted to adapt its legal system to the need to combat terrorism;

(k) Contributing to international efforts to combat money-laundering: Tunisia noted its contribution to international efforts to suppress money-laundering, which jeopardizes human rights through its close link to other international crimes such as drug trafficking, trafficking in persons, and terrorism. Tunisia pointed to its domestic legislation to prevent money-laundering, and its Financial Analysis Commission which is responsible for investigating suspicious operations and transactions.

4. In conclusion, Tunisia stated that in the face of increasing global disorder, which is dangerous and harmful for everyone, universal human rights norms constitute a common achievement of all peoples and a means of mobilizing local and international societies to promote dignity, equality and justice.